

contractors in their information activities whenever the major responsibility for a product (example—an aircraft) can be clearly and fairly credited to an identifiable contractor. In these instances, DoD information releases will include both the manufacturer's name and the DoD component's designation of the product.

(e) *Solicitation.* (1) DoD representatives will not solicit, or authorize others to solicit, from contractors for advertising, contributions, donations, subscriptions, or other emoluments. Where there is a legitimate need for industry promotion items, such as scale models—for example in recruiting programs—the headquarters of the DoD Component concerned may authorize procurement of such items as required.

(2) Defense contractors wanting to distribute items through official DoD channels should be advised to contact the headquarters of the DoD component concerned for guidance.

(f) *Briefings.* (1) Advanced planning briefings for industry are governed by DoD Instruction 5230.14,<sup>1</sup> “Advanced Planning Briefings for Industry.”

(2) Classified meetings are governed by DoD Directive 5200.12,<sup>1</sup> “Security Measures, Approval and Sponsorship for Scientific and Technical Meetings Involving Disclosure of Classified Information.”

(g) *Visits to contractor facilities.* (1) Visits to contractor facilities will be governed by the provisions of DoD Manual 5220.22-M,<sup>2</sup> “Industrial Security Manual for Safeguarding Classified Information (Attachment to DD Form 441).”

(2) When DoD Components desire to sponsor such visits by nationally known press representatives, approval will be obtained from both the contractor and the ASD(PA).

<sup>1</sup> See footnote 1 on previous page.

<sup>2</sup> Available from Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402—\$3.05.

## PART 238—DoD ASSISTANCE TO NON-GOVERNMENT, ENTERTAINMENT-ORIENTED MEDIA PRODUCTIONS

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APPENDIX A TO PART 238—SAMPLE PRODUCTION ASSISTANCE AGREEMENT

APPENDIX B TO PART 238—SAMPLE DOCUMENTARY PRODUCTION ASSISTANCE AGREEMENT

AUTHORITY: 10 U.S.C. 2264; 31 U.S.C. 9701.

SOURCE: 80 FR 47836, Aug. 10, 2015, unless otherwise noted.

### § 238.1 Purpose.

This part establishes policy, assigns responsibilities, and prescribes procedures for DoD assistance to non-Government entertainment media productions such as feature motion pictures, episodic television programs, documentaries, and electronic games.

### § 238.2 Applicability.

This part:

(a) Applies to the Office of the Secretary of Defense, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the combatant commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense (referred to collectively in this part as the “DoD Components”).

(b) Does not apply to productions that are intended to inform the public of fast-breaking or developing news stories.

### § 238.3 Definitions.

Unless otherwise noted, this term and its definition are for the purposes of this part.

*Assistance* (as in “DoD Assistance to Non-Government, Entertainment-Oriented Media Productions”). The variety of support that the DoD can provide. The assistance ranges from supplying technical advice during script development,